

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

07 CIV CV 9246

MICHAEL J. PALLADINO, as President of the NEW YORK CITY DETECTIVES' ENDOWMENT ASSOCIATION, INC., NEW YORK CITY DETECTIVES' ENDOWMENT ASSOCIATION, INC., EDWARD D. MULLINS, as President of the SERGEANTS BENEVOLENT ASSOCIATION of the CITY OF NEW YORK, INC., SERGEANTS BENEVOLENT ASSOCIATION OF THE CITY OF NEW YORK, INC., THOMAS DROGAN, as President of the LIEUTENANTS BENEVOLENT ASSOCIATION of the POLICE DEPARTMENT of the CITY OF NEW YORK, LIEUTENANTS BENEVOLENT ASSOCIATION of the POLICE DEPARTMENT of the CITY OF NEW YORK, JOHN DOE, JANE ROE and all POLICE OFFICERS named herein and others similarly situated,

Plaintiffs,

-against-

THE CITY OF NEW YORK, the NEW YORK CITY POLICE DEPARTMENT, and RAYMOND W. KELLY, as COMMISSIONER of the NEW YORK CITY POLICE DEPARTMENT,

Defendants.

**ORDER TO SHOW
CAUSE FOR
PRELIMINARY
INJUNCTION**

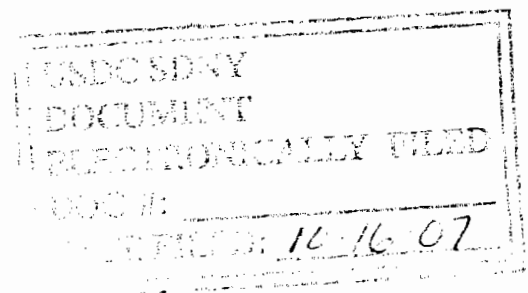
*Application denied
per separate order
dated 10/16/07.*

*Jed R. Kelly
USDC
10-16-07*

Upon the affidavit of Michael J. Palladino, President of the New York City Detectives' Endowment Association, Inc., sworn to on the 9th day of October, 2007, the affidavit of Daniel Rivera, sworn to on the 9th day of October, 2007, the verified complaint, the exhibits thereto, and the accompanying memorandum of law, it is

ORDERED, that the above named defendants show cause before a motion term of this

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Court, at Room _____, United States Courthouse, 500 Pearl Street, in the City, County and State of New York, on the ____ day of October, 2007 at _____ in the _____ noon of that day or as soon thereafter as counsel can be heard, why an order should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure, preliminary enjoining the Defendants during the pendency of this action from further implementation and/or application of a certain Interim Order, Issued 9-30-07, Reference P.G. 212 Series, No. 52, with the subject "Alcohol Testing for Uniformed Members of the Service Involved in Firearms Discharges Resulting in Injury to or Death of a Person"; and it is further

ORDERED, that service of this Order to Show Cause and the papers upon which it is based may be made on or before October ____, 2007 by personal service of a true copy of such papers and this Order to Show Cause upon the defendants, The City of New York, the New York City Police Department, and Raymond W. Kelly, as Commissioner of the New York City Police Department, their counsel c/o Michael A. Cardozo, Corporation Counsel of the City of New York, 100 Church Street, New York, New York 10007, on or before October ____, 2007, and that such service shall be deemed good and sufficient service; and it is further

ORDERED, that Defendant(s)' opposition papers, if any, to Plaintiffs' application be served upon Plaintiffs' counsel, Certilman Balin Adler & Hyman, LLP, 90 Merrick Avenue, East Meadow, New York 11554, Attn: Michael C. Axelrod, Esq., by facsimile on or before _____, 2007, and Plaintiffs may serve their reply papers, if any, upon Defendants' counsel, Michael A. Cardozo, Corporation Counsel of the City of New York, 100 Church Street, New York, New York 10007, by facsimile on or before _____, 2007.

Dated: New York, New York

Issued: _____

ENTER :

United States District Judge

A handwritten signature in black ink, appearing to be a stylized 'J' or 'K' with a horizontal line extending to the right.